

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOHN WESLEY STOUT, #1314715

§

VS.

§

CIVIL ACTION NO. 4:11cv274

DIRECTOR, TDCJ-CID

§

ORDER OF DISMISSAL

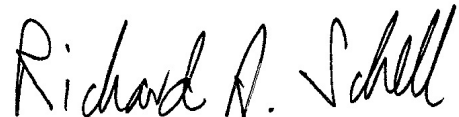
The above-entitled and numbered civil action was referred to United States Magistrate Judge Don D. Bush, who issued a Report and Recommendation concluding that the petition should be denied and dismissed with prejudice because it is time-barred. Petitioner filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Petitioner to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of Petitioner are without merit. Accordingly, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is

ORDERED that the petition for a writ of habeas corpus is **DENIED** and Petitioner's case is **DISMISSED** with prejudice. It is further

ORDERED that a certificate of appealability is **DENIED** and all motions not previously ruled on are hereby **DENIED**.

SIGNED this the 28th day of September, 2012.



RICHARD A. SCHELL

UNITED STATES DISTRICT JUDGE